

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ALAN R. REINBERG

Application No. 09/382,442

MAILED

MAR - 3 2005

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on November 19, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

The appendix of the appeal brief filed on March 18, 2004, contains brackets in the claims (see claim 1, line 9). The Manual of Patent Examining Procedure (MPEP) § 1206 requires the appendix of claims to be a clean copy, without underlines and brackets. Therefore, the appendix of the appeal brief is defective.

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Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) notification to the appellant that the appeal brief filed on March 18, 2004, is defective; 2) notification to the appellant to correct the appendix of the appeal brief; and 3) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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